DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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NOTICE OF COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT

West 61st Street Rezoning and Citywide General Large-Scale Development Text Amendment

Project Identification
CEQR No. 05DCP063Y
ULURP Nos. N060103 ZRY, 060104 ZMM, 060105 ZSM, 060106 ZSM
SEQRA Classification: Type I

Lead Agency
City Planning Commission
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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the Draft Environmental Impact Statement (DEIS) was held on December 6, 2006. Written comments on the DEIS were requested and were received by the Lead Agency until the 10th calendar day following the close of the public hearing. This FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

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A. PROJECT IDENTFICATION

West End Enterprises, LLC, and West 60th Street Associates, LLC, the applicant, proposes to rezone the western half of the block bounded by West End Avenue, West 61st Street, Amsterdam Avenue, and West 60th Street (Block 1152). In addition, the applicant is requesting a special permit for a public parking garage, a special permit for a general large-scale development, and a zoning text amendment. The proposed rezoning, special permits, and text amendment (collectively, "the proposed action") would facilitate the construction of a new residential building with ground-floor retail, community facility use, and below-grade parking ("the proposed project").

The proposed mixed-use development would be constructed on Lots 5, 8, 10- 13, 43, 52, 53, and 55 of Block 1152 (the "project site"). Until recently, the project site contained a mix of uses, including motor vehicle repair shops, surface parking, and warehouse and commercial uses. These uses have been demolished and the site is now vacant. The applicant merged Lots 56 and 57 (which are developed with two 5-story residential buildings) with the project site to create a combined zoning lot (the "combined zoning lot"). This would allow a portion of the unused development rights from Lots 56 and 57 to be used in developing the proposed project. The rezoning area would consist of Lots 1, 5, 8, 10- 13, a portion of Lot 43, Lots 52, 53, 55- 58, and 61. The additional lots in the rezoning area are occupied by The Heschel School (Lot 1), a 4-story car dealership (Lot 61), and a 1-story motor vehicle repair shop (Lot 58). If approved, the proposed project would be completed in 2008.

PROPOSED ACTION

A more detailed description of the proposed action follows:

- *Rezoning.* The applicant is seeking an amendment to the New York City zoning map to rezone the western portion of Block 1152 from M1-6 to C4-7/C6-2 (Lots 1, 5, 8, 10-13, a portion of Lot 43, Lots 52, 53, 55-58, and 61 would be rezoned). The area within 100 feet of the West End Avenue street frontage would be rezoned to a C4-7 zoning district (Lots 1 and 61), which permits a floor area ratio (FAR) of 10, bonusable to 12 pursuant to New York City's Inclusionary Housing provisions, and the remainder of the area to be rezoned would be mapped with a C6-2 zoning district, which permits an FAR of 6.02 (the "rezoning"). As stated above, the project site has been merged with Lots 56 and 57 to create a combined zoning lot. This permits a portion of the unused development rights from Lots 56 and 57 to be used in developing the proposed project.
- *Special Permits.* The applicant is requesting a special permit pursuant to Zoning Resolution (ZR) Section 74-52 for a public parking garage and a special permit pursuant to ZR Section 74-74 as proposed to be amended (see below) for a general large-scale development (collectively, the "special permits").
- *Text Amendment.* The applicant is requesting a text amendment to the provisions of Section 74-743 to modify the applicable "height factor" and open space requirements in certain large-scale developments. The proposed text amendment would apply to future general large-scale developments located partially in a C6-1, C6-2, or C6-3 district. The text amendment would allow the City Planning Commission to permit developments at their maximum floor area ratio without regard to "height factor" or "open space ratio" requirements provided that certain requirements relating to the amount of open space and quality of landscaping provided on-site are met.

The applicant is participating in the Brownfield Cleanup Program (BCP) administered by the New York State Department of Environmental Conservation (NYSDEC). In addition, on November 8, 2006, the applicant entered into a Restrictive Declaration that ensures that if the Brownfield Cleanup agreement is terminated, any development of the project site would proceed under the oversight of the New York City Department of Environmental Protection with respect to the testing and remediation of hazardous materials (see Appendix A, "Hazardous Materials").

The proposed action would also include the placement of (E) Designations for hazardous materials on the projected development sites located on Lots 58 and 61 to ensure that the potential for those sites to contain contaminated materials is addressed prior to any redevelopment.

(E) Designations would also be placed for noise on the project site (Block 1152, Lots 5, 8, 10-13, 43, 52, 53, and 55) and the projected development sites (Block 1152 Lots 56, 57, 58, and 61), to ensure an acceptable interior noise environment.

To avoid the potential for significant adverse air quality impacts from stationary sources, (E) Designations were incorporated into the proposed action to ensure that the heating, ventilating and air conditioning stack(s) would be placed at the appropriate distance from the affected projected development sites, specifically Block 1152, Lots 56, 57, and 58.

PROPOSED PROJECT

The proposed action is being requested to allow a new residential building to be constructed on the project site. The building would include a total of approximately 481,425 gross square feet (gsf) containing 342 residential units, 4,420 gsf of medical office space, 10,340 gsf of ground-floor retail space, and 200 parking spaces of which (121 would be accessory parking spaces and 79 would be public parking spaces).

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

For purposes of providing a conservative City Environmental Quality Review (CEQR) analysis, a reasonable worst-case development scenario was prepared for the proposed action (see Table 1). While the applicant proposes to construct 342 units on the project site, under the reasonable worst-case development scenario it is assumed that 559 units would be constructed on the project site. This is based on the maximum allowed dwelling units as per zoning (i.e., the project sponsor would construct larger apartments than required under zoning).

In addition to the units on the project site, it is assumed under the reasonable worst-case development scenario that Lots 58 and 61 are redeveloped and that two penthouse units are constructed on Lots 56 and 57. Currently, these two lots contain a one-story motor vehicle repair shop (Lot 58) and a recently vacated 4-story building formerly occupied by Potamkin Volkswagen (Lot 61). Based on the proposed action, these two lots could be redeveloped with a total of 251 residential units and a middle school of approximately 100,000-gsf. The development on Lot 58 is assumed to be 10 stories in height (approximately 105 feet). The development on Lot 61 is assumed to be 31 stories in height (approximately 340 feet).

The reasonable worst-case development scenario is summarized in Table 1.

Table 1
Reasonable Worst-Case Development Scenario

Lot	Proposed Zoning	Allowable Floor Area Ratio (FAR)	Projected Use
Project Site			
5, 8, 10-13, 43, 52, 53, 55	C6-2/R8	6 02	559 Residential Units 121 Accessory Parking Spaces 79 Public Parking Spaces 4,420 gsf Medical Office 10,340 gsf Retail
Projected Development Sites			
58	C6-2	6 02	61 Residential Units
56, 57			2 Penthouse Units
1	C4-7	10.0**	The RWCDS assumes that the existing Heschel School will remain on Lot 1 and that any excess floor area would be transferred to Lot 61
61			100,000 gsf Middle School 190 Residential Units
Total Reasonable Worst-Case Development Scenario			**812 Residential Units** **121 Accessory Parking Spaces** **79 Public Parking Spaces** **4,420 gsf Medical Office** **10,340 gsf Retail** **100,000 gsf Middle School**

Notes:
* Residential units assume 740 square feet per unit, as per the New York City Zoning Resolution
** Bonusable to 12 0 FAR in Community Board 7 for inclusionary housing projects, the reasonable worst-case development scenario assumes that the projected development is an inclusionary housing project

PROPOSED BUILDING DESIGN

The proposed project would be massed to contain three distinct components (Buildings A, B, and C). The tallest component (Building C) would consist of a 27-story tower with frontage on West 61st Street that would rise to a height of approximately 304 feet to the top of the parapet*. On West 60th Street directly south of Building C, the project (Building B) would rise to a height of approximately 97 feet before being set back and rising to a total height of approximately 172 feet. To the west of Building B, the project (Building A) would contain a base that would rise to a height of approximately 85 feet before being set back and rising to a total height of approximately 121 feet.

The proposed project would have entrances would be on West 60th and West 61st Streets. Specifically, there would be two residential entrances on West 60th Street. The ground-floor retail space is planned to contain neighborhood stores and be located on West 60th Street. The medical office space is planned to be located on West 61st Street. Vehicles would enter the parking garage on West 60th Street and exit the garage on West 61st Street. The site currently has 12 curb cuts. The proposed project would eliminate all 12 curb cuts and create two—one on each street at the garage entrance/exit.

The open spaces proposed as part of the project are integral to the project in terms of both its programming and its design. The proposed actions being sought by the applicant would enable

* All heights are measured from the mean curb elevation to the top of the parapet. The mean curb elevation at West 60th Street is 40.46 feet At West 61st Street, the mean curb elevation is 51.49 feet.

the proposed development to provide both active and passive open spaces for building residents on the site. The private open spaces would be at-grade and are expected to be landscaped. The open space to be developed on a portion of Lot 43 would contain a tennis court and four "English" style garden rooms for use by building residents. The garden rooms would include seating areas and plantings. The fence along this open space would be predominantly open to provide visual interest along this segment of the street. It would be set back 24 inches to allow for public seating. The proposed courtyard that would be developed on portions of Lots 5, 8, 10, and 55 would also be landscaped and would contain seating for residents as well as a water feature.

B. ENVIRONMENTAL REVIEW

This EIS has been prepared pursuant to CEQR. As the proposed project is located in New York City, and involves actions (zoning map change and special permits) requiring compliance with the City's Uniform Land Use Review Procedure (ULURP), the environmental assessment methodologies employed in this EIS are consistent with those of the *CEQR Technical Manual.* The environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, and to identify and, when practicable, avoid or minimize significant adverse environmental effects. The New York City Department of City Planning has assumed the lead agency role for this proposal

The proposed zoning map change and special permits are subject to the City's land use and environmental review processes.

ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review at four levels: Community Board, the Borough President, City Planning Commission, and the City Council. The procedure sets time limits at each review with a maximum review period of approximately seven months.

ANALYSIS FRAMEWORK

For purposes of the EIS analysis, the future baseline (or No Build condition) in 2008 assumes that none of the proposed discretionary actions proposed as part of the West 61st Street Rezoning project are adopted. In the absence of the proposed action, the project site would remain undeveloped. However, independent of the proposed action, the applicant is participating in the Brownfields Cleanup Program (BCP) administered by the New York State Department of Environmental Conservation (NYSDEC). The applicant was accepted into the BCP on April 19, 2005 and NYSDEC and the New York State Department of Health approved an Interim Remedial Work Plan on June 16, 2006 and a Remediation Work Plan on July 5, 2006. As part of the Remediation Work Plan, immediately following excavation of the site, a building foundation and cellar/subcellar walls will be constructed to prevent and/or minimize the recontamination of the remediated areas of the site. Therefore, in the future No Action condition, the applicant will remediate the project site under this program, and the project site will be vacant except for the building foundation and cellar/subcellar walls.

C. PROBABLE IMPACTS OF THE PROPOSED ACTION

LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

The proposed action would not result in significant adverse land use impacts. On the project site, the proposed action would result in a more intensely developed site and introduce a new mix of residential apartments, parking, ground-floor retail use, and medical office space—a change of land use from what has existed until recently. The proposed action would stimulate both the daytime and the 24-hour population of the area and be consistent with mixed-use development trends in the surrounding neighborhood, this part of the West Side, and along West End Avenue.

On the rezoning lot and in the rezoning area, new residential units would replace the auto-related use and increase the 24-hour population. The middle-school space would also increase the daytime population. The reasonable worst-case development scenario for this area would be compatible with the existing school use in the rezoning area and residential uses located nearby.

The proposed action would not adversely affect the land use character of the study area in general or result in adverse land use impacts. Rather, it would be compatible with the mixed-use land pattern of the surrounding area and be consistent with the emerging redevelopment of this part of the West Side toward conversion from light manufacturing and auto-related uses to a residential-oriented neighborhood connected to the Upper West Side. The proposed action would have no effect on the Lincoln Center/Columbus Circle portion of the study area or on the residential Clinton neighborhood.

ZONING

The proposed action would not result in significant adverse zoning or public policy impacts. The proposed action would include a zoning map amendment from M1-6 to C4-7 and C6-2 to allow the mixed-use residential and medical office development proposed for the project site. The proposed rezoning would be an extension of existing zoning districts in the immediate vicinity of the project site and rezoning area, and consistent with the zoning on the two blocks just to the south. It would also be consistent with higher-density residential and commercial districts and uses along West End Avenue. The proposed rezoning would be consistent with ongoing zoning trends in the area, in which several parcels were rezoned from manufacturing to residential or commercial zones.

The proposed action would also include a text amendment to the provisions of Section 74-743 to modify the applicable "height factor" and open space requirements in certain large-scale developments. The proposed text amendment would apply to future general large-scale developments located partially in a C6-1, C6-2, or C6-3 district. The text amendment would allow the City Planning Commission to permit developments at their maximum floor area ratio without regard to "height factor" or "open space ratio" requirements provided that certain requirements relating to the amount of open areas and quality of landscaping provided on-site are met. In addition, the proposed text amendment would allow the proposed action to meet one of its primary goals—achieving a better site plan than that which was otherwise possible under existing zoning.

PUBLIC POLICY

There are no public policy proposals specific to the project site, zoning lot, or study area that are expected to change in the future with the proposed action.

SOCIOECONOMIC CONDITIONS

A preliminary assessment examined the proposed action's potential impacts on five factors related to socioeconomic conditions. As summarized below, the proposed action would not result in any such significant impacts.

DIRECT RESIDENTIAL DISPLACEMENT

The reasonable worst-case development scenario would not displace any existing residences.

DIRECT BUSINESS AND INSTITUTIONAL DISPLACEMENT

The proposed action could directly displace a motor vehicle repair shop on Lot 58 and its five employees. However, the auto repair shop does not have a substantial economic value to the city or region, and other similar businesses are within and outside the study area. Therefore, local area residents and businesses would not be significantly affected by the displaced business's loss. In addition, although there are limited suitable soft sites to relocate an auto repair business in Manhattan, the displaced business would not have great difficulty relocating to another site in New York City. The auto repair shop is not subject to regulations or publicly adopted plans to preserve, enhance, or protect it. Further, the auto repair shop does not define or substantially contribute to defining the neighborhood. For these reasons, no significant impact would result from the loss of the existing business.

INDIRECT RESIDENTIAL DISPLACEMENT

Although the proposed action would introduce an estimated 1,429 new residents, the socioeconomic characteristics of this population would be similar to the existing population. The units introduced by the proposed action would be offered at rents or sales prices above the 2000 median contract rent for the study area, but they would be comparable to residential rents and sales prices for other modern, newly-constructed market-rate units in the surrounding area. It would also not displace any uses or properties that have had a "blighting" effect on property values in the area, and it would not alter the socioeconomic composition of the study area by direct displacement. Further, the proposed action would introduce a lower percentage of residential units than have been constructed in the study area since 2000. It would not make the area noticeably more attractive as a residential neighborhood complex because the study area is already part of a desirable residential neighborhood. The reasonable worst-case development scenario would not introduce a substantial amount of a more costly type of housing compared to existing housing and housing expected to be built in the study area by the time the proposed action is implemented. Finally, the proposed action would create new employment opportunities and economic and fiscal benefits to the city in the form of economic revitalization and tax revenue. It would add much needed housing in an area with high demand, and it would be consistent with the study area's existing mix of commercial and residential uses.

INDIRECT BUSINESS AND INSTITUTIONAL DISPLACEMENT

The proposed action's new uses already exist within the area and would not be considered new economic activities. The 812 new residential units introduced under the reasonable worst-case development scenario would reflect the area's existing trend of residential and retail development The addition of 4,420 gsf of medical office in the study area would not be significant enough to alter or accelerate an ongoing trend to existing economic patterns. Similarly, the addition of 10,340 gsf of neighborhood retail would not generate enough economic activity to alter existing economic patterns. Likewise, the development of a 100,000 gsf middle school would not indirectly displace any businesses within the study area.

The proposed action would also not displace any uses or properties that have had a "blighting" effect on property values in the area. In addition, although the reasonable worst-case development scenario is expected to directly displace an auto repair shop, this business does not directly support any businesses in the study area or create a customer base for the local businesses. Though the proposed action would directly displace approximately five workers from the auto repair shop, the proposed action would generate an estimated 137 new permanent jobs and draw new customers to existing study area businesses.

Finally, the proposed action would create new employment opportunities and economic and fiscal benefits to the city in the form of economic revitalization and tax revenue. It would also add much needed housing in an area with high residential demand, and it would be consistent with the existing mix of commercial and residential uses in the study area.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The proposed action would not have an adverse effect on a specific industry. The displaced auto repair shop is not critical to any industry or category of business. The project's residential and retail components would attract new customers to the study area, some of whom would shop at existing commercial stores.

COMMUNITY FACILITIES

According to the thresholds set forth in the *CEQR Technical Manual*, the proposed action would not have significant adverse impacts on hospitals or health care facilities, libraries, or daycare facilities. The proposed action would not affect the physical operations of, or access to and from, a fire station, or police precinct house and therefore an analysis of police and fire protection services is also not required. The assessment of the proposed action's effects on community facilities is limited to public schools.

There would be no significant impacts on elementary or middle schools with the proposed action. The reasonable worst-case development scenario would generate approximately 81 elementary school students and 16 middle school students. Although the new elementary students would place new demands on the public schools, the proposed action would introduce only a small portion of the additional students expected from all proposed residential development in the study area over the next three years. Community School District (CSD) 3 would have sufficient capacity for these elementary students. There is sufficient capacity in schools in both the study area and CSD 3 for the proposed action's new middle school students.

OPEN SPACE

The proposed action would not cause any significant impacts to open space resources. With the proposed action, the ¼- mile study area would have a daytime population of 36,739 and 17.45 acres of passive open space. The open space ratio for daytime users would decrease by approximately 2 percent to 0.47 acres, remaining well above the 0.15 acres per 1,000 person guideline established by the *CEQR Technical Manual.* Therefore, the ¼-mile study area's daytime population would continue to be well-served by passive open space.

The residential population in the ½-mile study area would be approximately 72,388 residents with the proposed action. Open space acreages would remain at 55.31 acres of passive space and 19.11 acres of active space, for a total of 74.42 acres. The total open space ratio would be 1.03 acres per 1,000 residents, still below the Citywide median of 1.5 acres per 1,000 residents, but with only a slight percent decline from 1.05 acres per 1,000 residents in the future without the proposed action. For active open space, the ratio would decline by 3.7 percent from the future without the proposed action, and would be approximately 0.26 acres per 1,000 residents, still well below the guideline of 2.0 acres per 1,000 residents. Passive open space would be 0.76 acres per 1,000 residents in the future with the proposed action compared to 0.78 without the proposed action, a decrease of less than 3 percent. The combined passive open space ratio in the future with the proposed action would remain above the goal of 0.30 acres per 1,000 residents and daytime population. Given that the passive open space ratios would remain above DCP recommendations, the proposed action would not result in any significant adverse impact to passive open space.

According to the *CEQR Technical Manual,* a decrease in the open space ratio of as small as 1 percent can be considered a significant adverse impact, when the open space ratio is below 1.5 acres per 1,000 residents. Even though that is the case here (the open space ratio is 1.05 and would be 1.03 with the proposed action, representing a 1.9 percent decrease from No Build conditions), this decrease would not result in a significant adverse impact because of the reasons described below.

The proposed project would include two major open areas that are of sufficient size to serve the residents of the new building. The overall design of these open areas is of superior quality as compared to most comparable developments. This private open space would provide a high quality amenity for the residents of this project. Furthermore, nearby open spaces outside the study area, such as Central Park and Riverside Park, provide additional resources for the study area population. Because of the small decrease (less than 4 percent) in the active open space ratio that would result with the proposed project, the private active open space amenity integrated into the proposed project's design, and the availability of the nearby open spaces, no adverse impact to active open space would result.

SHADOWS

The proposed action would not result in significant adverse shadow impacts on area open spaces. There would be no shadow increments on the West 59th Street Recreation Center or the P.S. 91 Amsterdam School, and James Felt Plaza and Frank Damrosch Park would experience incremental shadows lasting 30 minutes or less. At the Samuel N. Bennerson Playground and West End Towers Park, shadow increments of short duration would occur in the December analysis period only. At the Amsterdam Houses Playground, incremental shadows would occur

during the March and May analysis periods. These increments would be small in size, covering at most a third of the open space, and would move quickly over the open space. Overall, the proposed action would not add a significant amount of new shadows to any of the open spaces, nor would they rest on any area for a significant amount of time; therefore it is not expected that the proposed action would result in adverse shadow impacts on the open spaces in the surrounding area.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

As there are no historic resources on the project site, on the zoning lot, or in the rezoning area, there would be no significant adverse impacts on historic and archaeological resources.

In the study area, the proposed action would not have any physical effects on any known or potential historic resources. The West 59th Street Recreation House/West 60th Street Public Bath (eligible for listing on the State and National Registers [S/NR]) is within 90 feet of the project site, and ground-borne construction vibrations at the project site has the potential to damage this building. Because this building is eligible for listing on the S/NR, it is protected by the requirements in the New York City Department of Buildings' Technical Policy and Procedure Notice (PPN) #10/88, concerning procedures for avoiding damage to historic structures from adjacent construction. Under the PPN a construction protection plan must be provided to the New York City Landmarks Preservation Commission for review and approval before construction.

In terms of contextual or visual impacts, the proposed 27-story tower would be taller than the one- to six-story buildings immediately surrounding the project site. However, other taller and modern buildings are located within and just outside the study area. Thus, the proposed building would be constructed in an area that already is developed with a mix of low-rise, mid-rise and high-rise buildings, and historic and modern structures.

No adverse visual impacts would be expected on any architectural resources in the study area, since the proposed development would not alter the setting of any resources or block views to any of these resources that are not already blocked. The proposed building would not have adverse contextual effects on the West 59th Street Recreation House/West 60th Street Public Bath, the Consolidated Edison Power House, or the John Jay College of Criminal Justice because it would not alter the mix of short and tall, modern and historic, commercial, industrial, and residential buildings that have been or are being developed in and around the study area.

URBAN DESIGN AND VISUAL RESOURCES

The proposed action would not result in any significant adverse impacts to urban design or visual resources in the study area. The proposed action would not alter the street pattern or block shapes in the study area. The proposed building and projected development would maintain (and extend) existing streetwalls. The height of the proposed building, while taller than the buildings currently on the site, would be consistent with other large-scale buildings in the surrounding area, particularly to the north, south, and east. Although the context of the study area's visual resources would be altered by the addition of a new, tall building of modern design to the area, this change would not result in any significant adverse impacts and the proposed development would not affect the visual enjoyment of the area's visual resources.

NEIGHBORHOOD CHARACTER

No significant adverse impacts to neighborhood character would result from the proposed action. Neighborhood character is an amalgam of the factors that combine to give an area its distinctive personality, including land use, scale, and type of development; historic features; patterns and volumes of traffic; noise levels; and other physical or social characteristics that help define a community. The proposed action would not adversely affect these elements in the area surrounding the project site, and would not result in any significant adverse impacts to neighborhood character.

HAZARDOUS MATERIALS

As discussed above, the applicant is participating in the Brownfield Cleanup Program (BCP). The project site will continue to be cleaned up pursuant to a negotiated agreement between the project applicant and NYSDEC under the BCP. The applicant also entered into a Restrictive Declaration on November 8, 2006, which ensures that no significant adverse impacts with respect to hazardous materials would result from the development of the project site, in the event that the BCP agreement is terminated (see Appendix A: "Hazardous Materials"). An Interim Remedial Measure Work Plan and a Remediation Work Plan were prepared and approved to address how the identified contamination is being handled. This is being done under a Soil Management Plan and a Community Air Monitoring Plan that have been approved by both the New York State Department of Health (NYSDOH) and the NYSDEC. As part of the site cleanup, all surficial and subsurface soil will be removed and/or covered to standards acceptable to the NYSDEC and NYSDOH. A NYSDEC/NYSDOH-approved Health and Safety Plan, which includes an Expanded Community Air Monitoring Odor/Vapor Control Plan to protect the on-site workers and the people attending school, working, or living near the site, is being implemented.

Under the reasonable worst-case development scenario, it is assumed that development would occur on Lots 58 and 61. The past uses of these lots, the history of on-site petroleum storage tanks, and an open polychlorinated biphenyls (PCB) spill close by, indicate that petroleum and PCBs could be in the underlying soil and/or groundwater. The proposed action includes the placement of an "(E) Designation" on Lots 58 and 61. Under the (E) Designation, the lot owner must prepare a Phase I Environmental Site Assessment (ESA) before any redevelopment and, if necessary, implement a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before issuance of a building permit by the New York City Department of Buildings (DOB) (pursuant to Section 11-15 of the Zoning Resolution—Environmental Requirements). The (E) Designation also requires mandatory Construction Health and Safety Plans (CHASPs), which must be approved by NYCDEP, as well. By following the requirements of the (E) Designation, there would be no significant adverse impacts to workers on the projected development sites, neighboring residents, or future occupants of the new buildings.

Therefore, no significant adverse impacts are expected at the project site or in the rezoning area as a result of the proposed action.

INFRASTRUCTURE

No significant infrastructure impacts would result with the proposed action. The added average daily water use with the proposed action would not overburden the city's water supply or the local conveyance system. The proposed action would also comply with the city's water conservation measures as mandated by Local Law 19.

The wastewater generated by the proposed action would not affect the water pollution control plant's capacity or its treatment efficiency, or overburden the local or interceptor conveyance system. There would be no increase in stormwater flows and in the impervious surface area with the proposed action.

SOLID WASTE AND SANITATION SERVICES

The solid waste generated by the proposed action would represent a minimal increase in the City's waste stream. The proposed action would also comply with the city's recycling program. No adverse impacts on solid waste streams or recycling in the city would result.

As part of the proposed action, a medical office space would be located on the project site, and hazardous or chemical waste, including radioactive waste, may be generated there. Any hazardous or chemical waste would be carefully handled, stored, transported, and disposed in accordance with all applicable City, state, and federal regulations, ensuring that no significant adverse impacts from these materials would result.

ENERGY

The proposed project and potential development under the reasonable worst-case development scenario would be required to comply with the New York State Energy Conservation Construction Code Act. In compliance with the code, the basic designs would incorporate all required energy conservation measures. Electricity, and possibly gas and steam, would be used to provide heating, cooling, and lighting to the project site; petroleum fuel oils could also be used for heating. Energy consumption is not expected to result in any significant additional load for the responsible energy suppliers and would not result in any significant adverse impacts.

TRAFFIC AND PARKING

TRAFFIC

The proposed project and projected development sites would generate 1,211, 944, and 975 person trips, and 234, 75, and 133 vehicle trips during the AM, midday, and PM peak hours, respectively. During the AM peak hour, the proposed action would result in four significantly impacted lane groups at three intersections. In the midday, two lane groups at two intersections would experience significant impacts. During the PM peak hour, there would be five significantly impacted lane groups at four intersections (measures to mitigate these impacts are presented below under "Mitigation"):

AM Peak Hour

- *Columbus Avenue and West 57th Street*: The westbound through movement would worsen within LOS F and increase in average delay from 116.8 to 137.4 (20.6) seconds per vehicle (spv), while the southbound through-right movement would worsen within level-of-service (LOS) E and increase in average delay from 71.5 to 78.2 (6.7) spv.

- *Amsterdam Avenue and West 57th Street*: The westbound approach would deteriorate from LOS D to LOS E and increase in average delay from 51.0 to 59.0 (8.0) spv.
- *West End Avenue and West 59th Street*: The westbound left-through movement would worsen within LOS F and increase in average delay from 98.2 to 103.2 (5.0) spv.

Midday Peak Hour

- *Columbus Avenue and West 60th Street*: The eastbound approach would worsen within LOS F and increase in average delay from 132.0 to 140.2 (8.2) spv.
- *Amsterdam Avenue and West 59th Street*: The eastbound approach would worsen within LOS F and increase in average delay from 86.9 to 90.3 (3.4) spv.

PM Peak Hour

- *Columbus Avenue and West 57th Street*: The westbound through movement would worsen within LOS F and increase in average delay from 110.0 to 120.1 (10.1) spv.
- *Amsterdam Avenue and West 57th Street:* The eastbound approach would worsen within LOS F and increase in average delay from 84.5 to 87.9 (3.4) spv.
- *West End Avenue and West 59th Street*: The eastbound left-through movement would worsen within LOS F and increase in average delay from 145.8 to 156.3 (10.5) spv. In the westbound direction, the left-through movement would worsen within LOS F and increase in average delay from 157.6 to 165.2 (7.6) spv.
- *West End Avenue and West 66th Street*: The westbound left-turn movement would worsen from LOS E to LOS F and increase in average delay from 78.8 to 82.9 (4.1) spv.

PARKING SUPPLY AND UTILIZATION

The proposed action would not result in any parking impacts. Parking demand would be accommodated primarily at the proposed 200-space on-site parking garage. Peak midday utilization at off-street parking facilities would remain approximately the same as No Build levels, with 1,738 and 1,797 spaces available during the midday peak and overnight periods, respectively. The demand from the recently demolished on-site parking lot on Lot 43, was reallocated to a nearby facility. However, it is likely that this demand would actually be dispersed among several area facilities, including the proposed on-site public parking garage.

TRAFFIC SAFETY

Data on traffic accidents at the study area intersections were compiled from New York City Police Department records for the period of January 2003 through December 2005. Based on the available information recorded in the three-year period, none of the intersections in the study area are high vehicle/pedestrian accident locations. Therefore, it was concluded that the proposed project is not expected to result in any significant adverse safety impacts to area pedestrians. Between the Draft and Final EIS, further evaluation will be conducted to determine if additional accident data is available.

TRANSIT AND PEDESTRIANS

No significant adverse subway operation impacts would result. Generally, control elements at the Columbus Circle subway station would continue to operate at LOS C or better. However, the S3 stairway would operate at LOS D in the PM peak period, and the S5A/B street-level stairway and the M16A/B mezzanine stairway would operate at LOS D in the AM and PM peak periods. Since the required widening to revert their service levels to No Build conditions or LOS C/D are less than 6 inches, the project increments are not expected to result in significant adverse stairway impacts.

Likewise, no significant adverse pedestrian impacts would result. The proposed action would generate an additional 1,211, 944, and 975 person trips in the study area during the AM, midday, and PM peak hours, respectively. All analysis locations would continue to operate at acceptable LOS D or better conditions.

AIR QUALITY

The air quality analysis identifies and quantifies any significant direct and indirect air quality impacts from the proposed action. In addition, since the proposed action is directly northeast of the Con Edison 59th Street Station, an analysis was conducted to determine the cumulative effects of this and other nearby sources on future residents of the proposed action. A separate analysis to assess potential impacts from a nearby school and a public housing complex was also conducted. A stationary source parking garage analysis was also conducted to evaluate future carbon monoxide (CO) concentrations resulting from the proposed parking garage. The proposed action would also involve the rezoning of lots located near an existing large parking lot on West End Avenue. Impacts from this parking facility were determined to ascertain whether it would result in potential adverse impacts on potential development sites.

The results discussed below show that the maximum predicted CO concentrations from mobile sources with the proposed project would be below the ambient air standards and applicable *de minimis* criteria. In addition, the parking garage analyses determined that the parking facilities under the proposed project would not cause any significant adverse air quality impacts, and impacts to the proposed action from the existing parking lot would be insignificant. The stationary source analyses determined that there would be no potential significant adverse air quality impacts from HVAC systems associated with the proposed action, and that nearby sources of emissions such as the Con Edison 59th Street Station would not adversely affect air quality at the proposed action At the projected development sites located on Lots 56, 57, and 58, an (E) Designation for air quality would be incorporated into the text of the zoning proposal to ensure that the HVAC systems would not result in any significant impacts. Finally, a review of industrial sources found that there are no permitted sources within 400 feet of the proposed action. Thus, the proposed action is not expected to result in any significant adverse air quality impacts.

NOISE

The noise analysis for the proposed action consists of two parts—a screening analysis to determine whether traffic generated by the proposed action would have the potential to result in significant noise impacts, and an analysis to determine the level of building attenuation necessary to ensure that the proposed project's and projected development sites' interior noise levels satisfy applicable interior noise criteria.

Based on the screening analysis, increases in traffic volumes resulting from the proposed action would not result in noise level increases that would be significant or perceptible.

A building at the project site would require 30 A-weighted decibels (dBA) of attenuation on both the West 60th Street and the West 61st Street sides of the building to achieve an interior noise level of 45 dBA or less in residential units to satisfy CEQR attenuation requirements . Therefore, as part of the proposed action, an (E) Designation for noise would be placed on the project site to ensure that this interior noise level is achieved.

To satisfy CEQR attenuation requirements at the projected development sites: (1) any proposed residential or community facility development on Lot 58 would be required to provide a closed window condition with a minimum window/wall attenuation of 30 dBA; (2) any residential or school development on Lot 61 would be required to provide a closed window condition with a minimum window/wall attenuation of 35 dBA; and, (3) any proposed enlargement of the residential buildings on Lots 56 or 57 would be required to provide a closed window condition with a minimum window/wall attenuation of 30 dBA. Therefore, as part of the proposed action, (E) Designations for noise would be placed on the projected development sites to ensure that the building design for any subsequent redevelopment of these sites incorporates adequate measures to ensure that CEQR requirements for building attenuation are met.

The (E) Designations for noise on the project site and projected development and enlargement sites would comply with all CEQR requirements, and would preclude the potential for the proposed action to result in significant adverse noise impacts.

MECHANICAL SYSTEMS

As the heating, ventilation, and air conditioning (HVAC) systems, and elevator motors for the proposed action would all be designed to avoid producing levels that would result in any significant increases in ambient noise levels and to meet the Ambient Noise Quality Zone (ANQZ) criteria, the proposed action would not be expected to result in any significant noise impacts from the various building's associated mechanical systems.

CONSTRUCTION IMPACTS

LAND USE

Construction would not alter surrounding land uses, although certain types of activities would be disruptive to adjacent residences and community facilities for limited periods throughout the construction period expected to last approximately 22-months at the project site and a shorter duration of construction at the projected development site. Land uses on the blocks adjacent to and to the north of the project site and rezoning area are particularly sensitive to construction activities. There may be some inconvenience associated with construction on the project site or projected development sites as construction hours would coincide with the hours of operation of nearby schools. However, construction activities would be similar to construction activities at any other site in Manhattan, and the hours of construction would be regulated by the New York City Noise Code and the Department of Buildings (DOB). Other changes, such as sidewalk closures, would also be apparent to people living and working in the surrounding area, but a construction management plan would minimize the effects of these closures.

ECONOMIC BENEFITS

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits from expenditures by material suppliers, construction workers, and others involved. Construction would also contribute to increased tax revenues for the City and state.

HISTORIC RESOURCES

As described earlier, the West 59th Street Recreation House/West 60th Street Public Bath is protected by the requirements in the DOB's PPN #10/88. With these measures in place, it is unlikely that there would be any adverse physical impacts to the historic resource from adjacent construction. This resource is more than 90 feet from the projected development sites; thus construction-related impacts on this resource from construction at the projected development sites would not be a concern.

The other architectural resources in the study area are located outside the range of potential construction-related damage described in DOB's PPN. Thus, construction-related impacts to these architectural resources would not be a concern.

HAZARDOUS MATERIALS

Independent of the proposed action, the project applicant is participating in the Brownfield Cleanup Program administered by NYSDEC, and no significant adverse impacts would result from construction activities for the proposed project. In addition, on November 8, 2006, the applicant entered into a restrictive declaration that ensures that if the Brownfield Cleanup agreement is terminated, any development of the project site would proceed under the oversight NYCDEP with respect to hazardous materials. By following the requirements of the (E) Designation at the projected development sites, there would be no significant adverse impacts to construction workers, neighboring residents, or future occupants of new buildings from construction at the projected development sites.

TRAFFIC AND TRANSPORTATION

Construction at both the project site and the projected development sites would generate trips from workers, as well as from the movement of materials and equipment, and removal of construction waste Approximately five trucks per day (for materials delivery and removal of debris/scrap) are expected during each construction stage of either the project or the projected development. During final stages, there will likely be fewer large trucks and more small delivery vehicles. Wherever possible, deliveries and construction activities would take place during off-peak travel hours, and significant interruptions of traffic are not expected. While truck staging is expected on West 60th and 61st Streets, moving lanes of traffic would likely be available at all times. Any disruption in traffic flow would be relatively minor and expected to occur on side streets. These construction related trips would not likely cause significant adverse impacts on surrounding streets.

Lane closures are expected on West 60th and 61st Streets. Material storage areas would be located on-site. Truck movements would be spread throughout the day and would generally occur between the hours of 7:00 AM and 3:30 PM, depending on the stage of construction. No rerouting of traffic is anticipated and moving lanes of traffic are expected to be available at all times. The sidewalk immediately adjacent to the project site on West 60th and 61st Streets

would also be closed for the entire construction period. Pedestrians would either walk on the opposite side of the street or in a sectioned-off portion. Lane closures are expected on West 60th and 61st Streets. Material storage areas would be located on site. Truck movements would generally occur between 7:00 AM and 3:30 PM. No rerouting of traffic is anticipated and, as mentioned above, moving lanes of traffic are expected to be available at all times. The New York City Department of Transportation (DOT) would be consulted to determine the appropriate protective measures for ensuring pedestrian safety surrounding the project site, including at the schools located on the project block.

For the construction of the projected development sites, the effect on street lanes and sidewalks would be expected to be similar or less than for the proposed project.

AIR QUALITY

The possible construction air quality impacts include fugitive dust (particulate) emissions from demolition and mobile-source emissions, including hydrocarbons, nitrogen oxide, and carbon monoxide emissions.

All appropriate fugitive dust control measures—including watering of exposed areas and dust covers for trucks—would be employed to prevent impacts to nearby buildings and people. In addition, New York City Air Pollution Control Code regulating construction-related dust emissions would be followed. Therefore, no significant adverse impacts from fugitive dust are expected.

Mobile source emissions during construction may result from trucks delivering construction materials and removing debris, workers' private vehicles, disruptions in traffic near the construction site, and construction equipment. Localized increases in mobile-source emissions would be minimized by ensuring that wherever possible: construction requiring temporary street closings in heavily traveled areas would be performed during off-peak hours; the existing number of traffic lanes would be maintained; and idling of delivery trucks or other equipment would not be permitted when they unloaded or inactive.

NOISE

Construction noise from equipment and vehicles is regulated by the New York City Noise Control Code and by EPA noise emission standard, which mandate that certain construction equipment and vehicles meet specified noise emissions standards; that, except under special circumstances, construction activities be limited to weekdays between 7 AM and 6 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. In addition, appropriate low-noise emission level equipment and operational procedures would be used, when practicable. Any noise impacts would be temporary and short term. Some limited blasting may occur; if needed, all blasting would be performed to conform to FDNY regulations and any other applicable regulations. The limited amount of blasting that may occur would not be expected to result in any significant adverse noise impacts.

PUBLIC HEALTH

The proposed action would not result in any significant adverse public health impacts. As described above, the proposed action would not cause any significant air quality impacts from increased vehicular traffic, stationary sources, or the proposed project's parking facility.

Regarding exposure to potential hazardous materials contaminants in soil or dust, the project site will continue to be cleaned up pursuant to a negotiated agreement under NYSDEC's BCP independent of the proposed action. The applicant also entered into a restrictive declaration on November 8, 2006, which ensures that no significant adverse impacts with respect to hazardous materials would result from the development of project site, in the event that the BCP agreement is terminated (see Appendix A: "Hazardous Materials"). By following the requirements of the (E) Designation at the projected development sites, there would be no significant adverse impacts to construction workers, neighboring residents, or future occupants of new buildings.

Likewise, there would be no impacts on solid waste collection, odors, or noise levels from the proposed project or projected redevelopment.

D. MITIGATION

This section discusses the analysis areas where the potential for significant adverse impacts was identified, and measures that have been examined to minimize or eliminate the expected impacts.

HAZARDOUS MATERIALS

Independent of the proposed action, the applicant applied and was accepted into the Brownfield Cleanup Program administered by NYSDEC on April 19, 2005. An Interim Remedial Work Plan was approved on June 16, 2006, and a Remediation Work Plan was approved on July 5, 2006. The applicant also entered into a restrictive declaration, on November 8, 2006, that ensures that if the BCP agreement is terminated, any development of the project site would proceed under the oversight of the NYCDEP (see Appendix A: "Hazardous Materials"). The restrictive declaration for hazardous materials, in conjunction with the BCP agreement, would ensure that no significant adverse hazardous materials impacts would result from the development of the proposed project.

TRAFFIC

As discussed in "Traffic and Parking," the proposed action would result in significant adverse impacts at a number of study area analysis locations. To alleviate these project-related impacts, mitigation measures were studied. These measures, detailed below, would primarily involve retiming signal controls to increase green time for impacted movements and daylighting at intersection approaches to provide additional travel lanes or turn pockets.

- *Columbus Avenue and West 57th Street*—Curbside activities are currently permitted along the west side of the southbound approach during all hours except for the PM peak period (4 to 7 PM), when southbound right-turn vehicles are accommodated on the west curb lane. To mitigate the impacts identified for the AM and midday peak hours, intersection daylighting (displacing two parking spaces at the intersection approach) is required to also provide a southbound exclusive right-turn lane during these periods. In addition, a shift of 2 seconds of green time from the southbound phase to the westbound phase is required for the AM peak hour. During the PM peak hour, a one-second shift from southbound to westbound would suffice.
- *Columbus Avenue and West 60th Street*—The midday peak hour eastbound impact could be mitigated by shifting one second of green time from the southbound phase to the eastbound/westbound phase.

- *Amsterdam Avenue and West 57th Street*—The eastbound and westbound impacts during the AM peak hour and the eastbound impact during the PM peak hour could be mitigated by shifting one and two seconds, respectively, of green time from the northbound phase to the eastbound/westbound phase.
- *Amsterdam Avenue and West 59th Street*—The eastbound impact during the AM and PM peak hours could be mitigated by shifting one second of green time from the northbound phase to the eastbound/westbound phase.
- *Amsterdam Avenue and West 65th Street*—The eastbound impact during the AM peak hour could be mitigated by shifting one second of green time from the northbound phase to the eastbound phase.
- *West End Avenue and West 59th Street*—The eastbound left-through impact and the westbound left-through impact during the AM and PM peak hours could be mitigated by shifting one second of green time from the northbound/southbound phase to the eastbound/westbound phase.
- *West End Avenue and West 66th Street*—The westbound impact during the midday peak hour could be mitigated by shifting one second of green time from the northbound/southbound phase to the eastbound/westbound phase.

The proposed traffic mitigation measures would reduce the maximum predicted 8-hour CO concentrations at the West 59th Street and West End Avenue intersection, back to No Build levels. Therefore, no significant adverse air quality impacts would result from the implementation of the proposed traffic mitigation measures.

E. ALTERNATIVES

A range of alternatives to the proposed project are analyzed: the No Action Alternative, in which the project site and rezoning area would remain in their current condition; the As-of-Right Alternative, in which the project site is developed as-of-right with hotel and community facility uses; two Rezoning Only Alternatives, which consider a project under the proposed rezoning (to C4-7 and C6-2) but without any of the actions relating to the public parking garage, general large-scale development, or zoning text amendment; and two Zoning Text Amendment Alternatives, which consider several modifications to the text as proposed.

NO ACTION ALTERNATIVE

The No Action Alternative would not involve any major changes to the project site or rezoning area, and no discretionary actions would be taken. It is analyzed as the future without the proposed action in each of the technical areas of the EIS.

No new residential and retail use would be introduced on the project site or in the rezoning area with the No Action Alternative. Unlike the proposed action, this alternative would not reinforce the existing patterns of development in this area of Manhattan and land use in and around the project site, nor would this alternative provide housing and retail opportunities for the community. The socioeconomic benefits of the proposed action would not be realized with the No Action Alternative.

This alternative would not generate any new school-age children, while the proposed action would introduce new elementary, middle, and high school students; however, Community

School District 3 would operate below capacity with the proposed action and this alternative. Under the No Action Alternative, there would not be an introduction of new residents and workers to the open space study areas. As with the proposed action, the active open space ratio in the area will continue to be well below the recommended guideline, however, the study area will be well served by passive open space.

Without a new building on the project site, no new shadows would be cast on the open spaces in the study area. Unlike the proposed action, the No Action Alternative would not necessitate the implementation of a construction protection plan for the West 59th Street Recreation House/West 60th Street Public Bath. This alternative would not redevelop the site with a new building similar in bulk and height to the existing and planned structures in the area. This alternative, unlike the proposed action, would not have beneficial effects on the streetscape of the area because it would not replace the existing vacant lot with a new building.

Neither the No Action Alternative nor the proposed action is expected to result in significant adverse impacts to the elements that contribute to the character of the neighborhood. Under the No Action Alternative, the project site would continue to be remediated under NYSDEC's BCP. (E) Designations on Lots 58 and 61 would not be necessary under the No Action Alternative as it is not expected that these sites would be redeveloped without the proposed action. No adverse impacts on local utility systems, including water supply, solid waste and sanitation, and energy are anticipated with either the No Action Alternative or the proposed action.

Significant adverse traffic impacts at three intersections in the AM peak hour, two intersections in the midday peak hour, and four intersections in the PM peak hour that would result from the proposed action would not occur with this alternative. The No Action Alternative would not result in any new pedestrian, subway, and bus trips. As with the proposed action, no impacts to pedestrians, public transportation, and pedestrian safety conditions are expected with the No Action Alternative.

With the No Action Alternative, the insignificant *de minimis* increases in the 8-hour carbon monoxide (CO) concentrations resulting from traffic generated by the proposed action and from the proposed parking garage that would be built on the project site would not occur. No violations of NAAQS are predicted to occur under either the No Action Alternative or the proposed action, and both would be consistent with the SIP for the control of ozone and carbon monoxide. The No Action Alternative would not require (E) Designations placed on Block 1152, Lots 56, 57, and 58 to avoid the potential for significant adverse air quality impacts from stationary sources. Like the proposed action, this alternative would not have any significant stationary source air quality impacts.

Neither the No Action Alternative nor the proposed action would result in any significant adverse noise impacts from building mechanical systems and any backup power generation equipment, though (E) Designations for noise on the project site and the projected development sites to ensure an acceptable interior noise environment would not be necessary under the No Action Alternative. The construction activities associated with the proposed action, including economic benefits, would not occur under this alternative. Neither the No Action Alternative nor the proposed action would result in significant adverse impacts to public health.

AS-OF-RIGHT ALTERNATIVE

The As-of-Right Alternative would consist of a hotel with an urban plaza bonus in the M1-6 portion of the project site and a community facility in the R8 portion of the project site. Under

this alternative, the existing uses on the projected development sites (Lots 58 and 61) would remain. The average FAR of the As-of-Right Alternative is approximately 11 FAR or 75 percent greater than the proposed project.

The hotel would be a 61-story slab with two 10-story elements setback from the street line and would sit on a one-story base. It is expected that the hotel would contain approximately 832 rooms. The south-facing urban plaza would be located to the west of the hotel, filling the entire interior lot fronting West 60th Street. The community facility use would front on West 61st Street, be setback from the street line, rise to a height of 15 stories, and sit on a one-story base.

While hotel and community facility uses would be compatible with the surrounding neighborhood, unlike the proposed action, this alternative would not reinforce the existing patterns of residential development in this area of Manhattan and land use in and around the project site. This alternative also would not provide housing and retail opportunities for the community. While a sizable hotel, this alternative is not a use that would be inconsistent with surrounding uses, nor is it anticipated that this hotel would have an impact on the city's hotel industry. It would introduce a transient population that would provide support for existing retail uses in the neighborhood.

Neither the As-of-Right Alternative nor the proposed action would increase demands for police and fire protection. This alternative however, would not generate any new school-age children, and would not exacerbate the deficiency in elementary school seats in the schools in the vicinity of the project site and rezoning area as with the proposed action. Under the As-of-Right Alternative, there would not be an introduction of new residents to the open space study area; however, there would be an increase in workers and hotel patrons. This increase would not result in any significant adverse effects on open space resources, though it would place a greater demand on passive open space resources in the commercial study area than the proposed action. This alternative would result in greater shadow increments than would occur with the proposed action and would have the potential to result in significant adverse shadow impacts.

As with the proposed action, the As-of-Right Alternative would necessitate the implementation of a construction protection plan for the West 59th Street Recreation House/West 60th Street Public Bath. The replacement of the vacant lot would be an improvement over existing conditions however, the maximization of the lot's zoning potential in the As-of-Right Alternative, would not be as well integrated in the surrounding neighborhood as the proposed project. The 61-story hotel would tower over the buildings in the immediate area and would be approximately twice the height of the proposed project's tower. Furthermore, because the As-of-Right Alternative would be located along the centerline of the block and set back from the street line as per zoning, it would diminish the quality of the pedestrian's experience on both West 60th and West 61st Streets by breaking the continuity of existing streetwalls. While both the As-of-Right Alternative and the proposed project would change the character of the project block, neither would result in significant adverse neighborhood character impacts. However, the As-of-Right Alternative would not be as well integrated into the surrounding neighborhood as the proposed action.

Under the As-of-Right Alternative, it is not expected that Lots 58 and 61 would be redeveloped under the existing zoning district regulations; therefore, no (E) Designations on Lots 58 and 61 with respect to hazardous materials would be required. No adverse impacts on local utility

systems, including water supply, solid waste and sanitation, and energy are anticipated with either this alternative or the proposed action.

Based on peak hour person trips generated by the As-of-Right Alternative, it is anticipated that this alternative would result in significant adverse impacts at least at the same locations as the proposed action, and possibly at additional intersections, and the impacts would be at least of the same magnitude or greater. Although the alternative would not include a 200-space parking garage, there is projected to be available off-street parking capacity to accommodate demand from the As-of-Right Alternative. The alternative would result in fewer subway, bus, walk, and total person trips than the proposed project in the AM peak period and more total person trips during the midday and PM peak periods. The alternative would not result in any significant adverse impacts and would remain under the threshold requiring a quantified bus analysis. Because of its higher overall trip generation, unlike the proposed action, this alternative has the potential to result in significant adverse impacts to transit and pedestrian conditions.

Although the additional emissions from vehicles traveling in the study area would result in greater levels of CO, no significant adverse air quality impacts mobile source impacts are anticipated to occur. The As-of-Right Alternative would result in additional fossil fuel usage due to its greater density; however, no significant stationary air quality would occur from the proposed action or the alternative. The As-of-Right Alternative would not require the (E) Designations placed on Block 1152, Lots 56, 57, and 58 to avoid the potential for significant adverse air quality impacts from stationary sources. Maximum pollutant concentrations from the Con Edison Steam Station on the project site were determined to be well below NAAQS. Higher concentrations of pollutants from the nearby Con Edison 59th Street Station may be experienced on the upper floors of the As-of-Right Alternative, but no violations of NAAQS are expected to occur.

While this alternative would have a greater vehicle trip generation than the proposed project, this increase in vehicle trips is not expected to result in noise impacts, as it would not result in a doubling of passenger car equivalent traffic. It is anticipated that similar levels of building attenuation as those required with the proposed action would be required with the As-of-Right Alternative, to achieve acceptable interior noise levels. The projected development sites would not be redeveloped and therefore would not require the (E) Designations that would be placed as part of the proposed action.

The construction that would occur on the site with the As-of-Right Alternative would be similar to the construction activities associated with the proposed action, including economic benefits. However, no construction would be expected to occur at the projected development sites under this alternative. It is expected that under both the As-of-Right Alternative and the proposed action, there would be no impacts on public health as a result of hazardous materials impacts, increased vehicular traffic or stationary source emissions, or from new source of noise or odors.

REZONING ONLY ALTERNATIVES

The two Rezoning Only Alternatives (the Height Factor Building Alternative and the Quality Housing Building Alternative) would result in the same rezoning as the proposed action but would not seek any of the actions relating to the public parking garage, general large-scale development, or the proposed text amendment to waive the open space or "height factor" requirements of a general large-scale development. The purpose of assessing the Rezoning Only Alternatives is to isolate and evaluate the potential effects of the special permits.

Two Rezoning Only Alternatives are examined—a Height Factor Building and a Quality Housing Building. As with the proposed action, both these alternatives would be similar to the proposed project in that they would include ground-floor retail, community facility, and residential uses; however, the building mass would be distributed differently on the project site and less floor area would be developed.

The proposed uses under the Rezoning Only Alternatives would be the same as with the proposed project and would not exceed the gsf analyzed for the proposed action. Because the Rezoning Only Alternatives would result in somewhat smaller developments than the proposed action (approximately 68,000, and 72,800 square feet less), it is expected that the effects of the Rezoning Only Alternatives would be similar or less than those for the proposed action in the areas of land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; historic resources; hazardous materials; waterfront revitalization; infrastructure; solid waste and sanitation; energy; traffic and parking; transit and pedestrians; air quality; noise; construction; and public health.

It is possible that at some locations, traffic impacts predicted with the proposed action would not occur, or that mitigation measures required could be of a smaller degree. Although neither of these alternatives would include parking, the No Build analysis shows that there would be enough available capacity in the area to accommodate the demand from the recently displaced 100-space on-site lot, and the additional demand generated by the development under either of these Rezoning Only Alternatives. Furthermore, these alternatives would require similar (E) Designations for air quality and noise as required by the proposed action, for the purpose of avoiding potential stationary source air quality impacts from HVAC stacks, and to achieve acceptable interior noise levels in the respective "Height Factor" and "Quality Housing" buildings.

HEIGHT FACTOR BUILDING ALTERNATIVE

The Height Factor Building Alternative is based on the Height Factor regulations that tie the maximum allowable FAR to the "open space ratio" and "height factor". This alternative would result in the development of an approximately 413,255-gsf building containing ground-floor retail, community facility, and residential space. The building would be a slab building of 35 stories, with low-rise wings that would be oriented east/west along the block's center line.

This alternative would cast a larger incremental shadow on the Amsterdam Houses playground and has the potential to result in significant adverse shadow impacts.

As with the proposed action, the Height Factor Building Alternative would alter and improve the streetscape surrounding the project site. However, the building under this alternative would not be as well integrated into the surrounding neighborhood as the proposed project and would not be consistent with the context of existing buildings aligned along streetlines, or the emerging context of new buildings that have building elements aligned along street frontages. The ground-floor commercial and community facility uses would also be set back no less than 30 feet from both West 60th and 61st Streets, reducing the positive effect on the streetscape. In addition, the introduction of the midblock tower setback from the streets would appear more bulky than the proposed project. Neither this alternative nor the proposed action would significantly affect the elements that contribute to the area's neighborhood character.

Slightly higher concentrations of pollutants from the nearby Con Edison 59th Street Station may be experienced on the upper floors of the Height Factor Alternative, but no violations of NAAQS are expected to occur and, like the proposed action, no significant stationary air quality impacts are predicted.

QUALITY HOUSING BUILDING ALTERNATIVE

The Quality Housing Building Alternative is based on Quality Housing regulations and would result in the development of approximately 408,600-gsf building containing ground-floor retail, community facility, and residential uses. This alternative would result in two parallel buildings of 11 stories each, with their eight-story bases aligned with the West 60th and West 61st Street streetlines.

The Quality Housing Building Alternative would not cast shadows on several of the area's open spaces. James Felt Plaza and Frank Damrosch Park would experience incremental shadows lasting 30 minutes or less; Samuel N. Bennerson Playground and West End Towers Park would experience shadow increments of short duration in the December analysis period only; and the Amsterdam Houses Playground would experience incremental shadows only during the March and May analysis periods. However, neither the proposed action nor the Quality Housing Building Alternative are expected to result in any significant adverse shadows impacts.

Like the proposed project, the Quality Housing Building Alternative would alter and improve the streetscape surrounding the project site, however, it would not be as well integrated into the surrounding neighborhood as the proposed project. Although a mid-rise building configuration, the Quality Housing Building Alternative would have a monumental look. Comprised of two parallel street wall buildings of 300 and 375 feet in length with a single entrance on West 60th Street, the Quality Housing Building Alternative would have façade frontages considerably greater than that of any of the buildings in the immediate area, including those with full blockfronts of 200 feet. The Quality Housing Building Alternative illustrates the limitation of the Quality Housing regulations—designed primarily for urban infill sites with relatively small frontages, the application of the Quality Housing regulations, with its tight zoning envelope, to this site's exceedingly long frontages, results in a building that cannot be characterized as infill.

The Quality Housing Alternative would have a defined interior garden for the use of the residents but the dimensions of the enclosed garden would preclude the active recreation uses planned for the proposed action. The Quality Housing Building Alternative would provide retail and community facility uses along both streets that would enhance the pedestrian's experience. However, the ground-floor apartments proposed under this alternative would lack privacy as compared to the proposed project, where all of the apartments would be located above the ground floor. Neither this alternative nor the proposed action would significantly affect the elements that contribute to the area's neighborhood character.

Because of the smaller size of the Quality Housing Building Alternative, concentrations of pollutants from the nearby Con Edison 59th Street Station and other source would be expected to be lower than the proposed action. Other air quality analyses performed for the proposed action would be expected to have similar results for the alternative and no significant adverse impacts would result.

ZONING TEXT AMENDMENT ALTERNATIVES

As discussed below in "Conceptual Analysis of the Proposed Text Amendment," the text amendment proposed as part of the proposed action would allow the City Planning Commission (CPC) to waive within a general large scale development special permit, the applicable "height factor" and "open space ratio" requirements provided that applicants meet certain findings related to the amount and quality of open areas and landscaping. "Conceptual Analysis of the Proposed Text Amendment," includes a description of the purpose and need for the text amendment, the areas of the City in which the text amendment would apply, and an analysis of the potential environmental effects of future use of the proposed Citywide text amendment.

Based on comments received at the public hearing two alternatives to the zoning text amendment as proposed are described and assessed in the following sections. Zoning Text Alternative 1 includes one modification to the proposed text amendment concerning the minimum amount of open space that must be provided in order for the provisions of the text amendment to apply. Zoning Text Alternative 2 includes the same modification considered in Zoning Text Alternative 1 and three additional modifications requiring that (1) on-site open space complies with the Quality Housing open space provisions, (2) that at least 50 percent of the site's lot area is located within C6-1, C6-2, or C6-3 zoning districts, and (3) restricts the applicability of the proposed text amendment to Community board 7 only. Neither of these alternatives is intended to reduce or eliminate impacts resulting for the proposed text amendment since the conceptual analysis of the proposed text amendment concluded that the proposed text amendment would not result in any significant adverse impacts. The alternatives are included to address concerns about the proposed text amendment expressed at the public hearing relating to the need to provide a quantitative measure of open space to be provided on a site; the need to provide more specific standards for defining the quality of open space, specifying how much of the project lot area would need to be located within the applicable zoning districts; and, limiting the applicability of the text amendment to Manhattan Community District 7 only.

ZONING TEXT AMENDMENT ALTERNATIVE 1

In Zoning Text Amendment Alternative 1, the proposed text would be modified to include as a condition that no less that 50 percent of the amount of open space that would have otherwise been required under existing height factor and open space ratio requirements will be provided for developments that are constructed using the provisions of the text amendment. The conceptual analysis assessed the effects of the proposed text amendment for the environmental impact categories that could potentially be affected by the use of the text's provisions, including Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Hazardous Materials; the Waterfront Revitalization Program; and Stationary Source Air Quality. The analysis concluded that the proposed text amendment would not result in significant adverse impacts in any of these categories. Whereas the provisions of the proposed text amendment would not require a specified amount of open space be provided in order to waive the existing height factor and open space ratio requirements, under this alternative, a minimum of 50 percent of the amount of open space that would otherwise be required under existing height factor and open space ratio requirements would be required to be provided. The effect of this modification would be to provide for a quantifiable minimum amount of open space that would have to be provided on a site in order to utilize the provisions of the text amendment. This would address concerns expressed at the public hearing that the

proposed text amendment does not include a quantifiable measure of the amount of required open space. This modification would not alter any of the conclusions of the conceptual analysis of the proposed text amendment.

ZONING TEXT AMENDMENT ALTERNATIVE 2

In Zoning Text Amendment Alternative 2, the proposed text would be modified to include the following requirement as conditions to be met in order for the provisions of the proposed text amendment to apply:

- that no less than 50 percent of the amount of open space that would have otherwise been required under existing height factor and open space ratio requirements will be provided for developments that are constructed using the provisions of the text amendment (as in Zoning Text Amendment Alternative 1, described above);
- that the open space provided on the site will comply with the requirements that would have otherwise been required under the Quality Housing provisions of the New York City Zoning Resolution;
- that its provisions apply to general large-scale developments with at least 50 percent of their lot area within C6-1, C6-2, or C6-3 zoning districts; and
- that its provisions apply only within Manhattan Community District 7.

The conceptual analysis assessed the effects of the proposed text amendment for the environmental impact categories that could potentially be affected by the use of the text's provisions, including Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Hazardous Materials; the Waterfront Revitalization Program, and Stationary Source Air Quality. The analysis concluded that the proposed text amendment would not result in significant adverse impacts in any of these categories. Whereas under the proposed text amendment there are no specific criteria relating to the quality of open space provided, or to how much of the project lot area needs to be located within the applicable zoning districts, under this alternative the open space provided on the site would have to comply with the open space requirements of the Quality Housing Program, and at least 50 percent of the site's lot area would need to be located within a C6-1, C6-2, or C6-3 zoning district. In addition, whereas the proposed zoning text amendment would be applicable in Manhattan Community Districts 1-8 and 12, Queens Community District 12, and Brooklyn Community District 2, under this alternative, the proposed text amendment would be limited to only Manhattan Community Board 7. Also, as with Zoning Text Alternative 1, under this alternative, a minimum of 50 percent of the of the amount of open space that would otherwise be required under existing height factor and open space ratio requirements would be required to be provided. The effects of the modification concerning the minimum amount of open space that must be provided are discussed above under Zoning Text Alternative 1. The effect of requiring that the open space provided complies with Quality Housing open space provisions, would be to establish specific standards relating to the quality of the open space to be provided. The effects of modifying the text to include as a condition that at least 50 percent of the site's lot area be located within a C6-1, C6-2, or C6-3 zoning district would be to further limit the applicability of the proposed text amendment. This would likely reduce the number of sites which could utilize the provisions of the proposed text amendment. Lastly, the modifications under this alternative would make the proposed text amendment applicable in Manhattan Community Board 7 only. These modification would address the concerns expressed at the public hearing that the proposed text amendment needs to provide more specific standards for defining the quality of open space;

for specifying how much of the project lot area would need to be located within the applicable zoning districts; and, that it should be limited to only Manhattan Community District 7. These modifications would not alter any of the conclusions of the conceptual analysis provided to the proposed text amendment.

F. CONCEPTUAL ANALYSIS OF THE PROPOSED TEXT AMENDMENT

The proposed text amendment would allow the CPC to waive within a general large scale development special permit, the applicable "height factor" and "open space ratio" requirements provided that applicants meet certain findings related to the amount and quality of open areas and landscaping.

The conceptual analysis of the text amendment examines the text itself, the purpose and need for the text amendment, a description of the areas of the City in which the text amendment could apply, and the potential future use of the proposed Citywide text amendment.

PURPOSE, NEED, AND APPLICABILITY OF THE PROPOSED TEXT AMENDMENT

The proposed text amendment would provide greater flexibility to design and program large-scale developments with superior open areas and recreational spaces than that which is available today. While the general large scale development special permit allows the CPC to waive requirements relating to height and setback, yards, courts, and minimum distance between buildings, the proposed text amendment, if adopted, will enable the CPC to additionally waive "height factor" and "open space ratio" requirements that would otherwise be required by the underlying district designations. The text amendment would be subject to certain provisions: (1) that the open areas on the zoning lot are of sufficient size to serve the residents of the building; (2) that the open areas are accessible to and usable by all residents of the building; (3) that the open areas have appropriate access, circulation, seating, lighting, and paving; and (4) that the site plan include superior landscaping for all open areas, including the planting of street trees.

The use of the proposed text amendment would be contingent upon an applicant's ability to apply for and receive a general large-scale development special permit, which requires that the development must be on a tract of land that is at least 1.5 acres. The proposed text amendment may not be applicable in all special zoning districts, which are districts that have special regulations that either supplement or supersede the underlying district regulations.

POTENTIAL EFFECTS OF THE PROPOSED TEXT AMENDMENT

At this time, there are no known proposals that would make use of the proposed text amendment other than the proposed action. The conditions where the general large-scale development special permit would apply are not particularly widespread in the City, and there are relatively few sites that could take advantage of this special permit. The use of this special permit is very site-specific, and is dependent on a combination of specific zoning requirements and the ability to make an assemblage of at least 1.5 acres of contiguous property. It is not therefore not practical to predict where or how often the provisions of the text would be used on other sites in the future since the waivers provided by the text are site-specific and would depend on specific development plans not known at this time.

Environmental Effects

The proposed text amendment would not induce any new or unplanned development but would permit the re-design and re-programming of open areas, in a manner that results in superior open areas for building residents. Therefore, the proposed text amendment would not affect those environmental analysis areas that are influenced by a development's use or floor area—these areas include land use, socioeconomic conditions; community facilities; infrastructure; solid waste and sanitation services; energy; traffic and parking; transit and pedestrians; air quality (mobile sources), or noise.

As there would not be any increase in population that would in turn increase demand for open space resources, the text amendment would not have the potential to result in any indirect adverse impacts on open space. In fact, the text amendment would provide greater flexibility to design and program large-scale developments with superior open areas and recreational spaces than that which is available today or is required by open space regulations—a beneficial impact.

The proposed text amendment has the potential to re-distribute the bulk and massing of certain general large scale developments. Given that a site specific analysis in not possible, the general effects resulting from the text amendment would be limited to different shadows (the length and duration of which are not measurable) than that which would result from a development that did not make use of the text amendment.

Because a building that makes use of the proposed text amendment could result in a different site plan/building footprint or distribution of building bulk, it is possible that the areas of subsurface disturbance would be different and that such a building would result in different potential impacts on archaeological resources, or adjacent or nearby architectural resources. Given that a site specific analysis is not possible, the general effects resulting from the text amendment would be limited to ground disturbance (the area and depth of which are not measurable) and differences in bulk and massing of a proposal (the size, density and configuration of which are not measurable), than that which would result from a development that did not make use of the text amendment.

Urban design and visual resource impacts are site specific and dependent upon not only the bulk and massing of a given proposal but on the urban design of the surrounding area and the presence or absence visual resources within that area. While urban design and visual resources could be affected by the proposed text amendment, the text amendment is being proposed to achieve greater flexibility in achieving a superior site design and it is anticipated that, in general, the proposed text amendment would result in beneficial effects.

The character of a neighborhood is established by numerous factors, including land use patterns, the characteristics of its population and economic activities, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include noise levels, traffic, and pedestrian patterns. There is the potential that these elements of neighborhood character could be affected.

The proposed text amendment could result in different potential impacts on hazardous materials. Given that a site specific analysis in not possible, the general effects resulting from the text amendment would be limited to differences in ground disturbance (the area and depth of which are not measurable).

The proposed text amendment would not of itself be expected to result in a project that would be inconsistent with the City's Local Waterfront Revitalization Program (LWRP).

Because assessments of stationary sources are dependent on a specific site plan, it cannot be determined how the proposed text amendment would affect how nearby commercial, institutional or large-scale residential developments could affect the developments constructed with the text amendment, or how the HVAC emissions from the proposed development would affect surrounding buildings.

Given that the proposed text may only be utilized through the granting by the CPC of a general large scale special permit, site specific impacts in the abovementioned areas of: shadows, historic resources, urban design and visual resources; neighborhood character; hazardous materials; and air quality, that result from any given development which utilizes the proposed text amendment would be assessed and disclosed to the public under and pursuant to a separate environmental review.

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